



Senate

General Assembly

File No. 264

January Session, 2011

Substitute Senate Bill No. 1092

Senate, March 29, 2011

The Committee on Judiciary reported through SEN. COLEMAN of the 2nd Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING THE MEMBERSHIP OF THE DNA DATA BANK OVERSIGHT PANEL.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 54-102m of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) There is established a DNA Data Bank Oversight Panel
4 composed of the Chief State's Attorney, the Attorney General, the
5 Commissioner of Public Safety, the Commissioner of Correction, [and]
6 the executive director of the Court Support Services Division of the
7 Judicial Department and the Chief Public Defender, or their designees.
8 The Chief State's Attorney shall serve as chairperson of the panel and
9 shall coordinate the agencies responsible for the implementation and
10 maintenance of the DNA data bank established pursuant to section 54-
11 102j.

12 (b) The panel shall take such action as necessary to assure the
13 integrity of the data bank including the destruction of inappropriately

14 obtained samples and the purging of all records and identifiable
15 information pertaining to the persons from whom such
16 inappropriately obtained samples were collected.

17 (c) The panel shall meet on a quarterly basis and shall maintain
18 records of its meetings. Such records shall be retained by the
19 chairperson. The meetings and records of the panel shall be subject to
20 the provisions of the Freedom of Information Act, as defined in section
21 1-200, except that discussions and records of personally identifiable
22 DNA information contained in the data bank shall be confidential and
23 not subject to disclosure pursuant to the Freedom of Information Act.
24 The Chief Public Defender, or the Chief Public Defender's designee,
25 shall not participate in discussions concerning, or have access to
26 records of, personally identifiable DNA information contained in the
27 data bank.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>from passage</i>	54-102m
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JUD *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

There is no cost associated with adding the Chief Public Defender, or their designee, to the membership of the DNA Data Bank Oversight Panel.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**sSB 1092*****AN ACT CONCERNING THE MEMBERSHIP OF THE DNA DATA BANK OVERSIGHT PANEL.*****SUMMARY:**

This bill adds the chief public defender, or his designee, to the DNA Data Bank Oversight Panel and prohibits him and his designee from participating in discussions about, or having access to, personally identifiable DNA information in the data bank.

The current panel's five members are the chief state's attorney; attorney general; public safety and correction commissioners; and executive director of the Court Support Services Division of the Judicial Branch, or their designees.

EFFECTIVE DATE: Upon passage

BACKGROUND***DNA Data Bank Oversight Panel***

By law, (1) people convicted of felonies and (2) certain sex offenders and incompetent criminal defendants must submit DNA samples for inclusion in the state's DNA data bank. The purpose of the oversight panel is to take necessary actions to assure the data bank's integrity, including (1) destroying inappropriately obtained samples and (2) purging records and information about people from whom they were taken.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Substitute

Yea 34 Nay 0 (03/11/2011)